

EXHIBIT R

In the Matter of:

Delton Goodrum

v.

City of Alexandria

Delton Goodrum

November 21, 2024



Phone: 703-837-0076
Fax: 703-837-8118
Toll Free: 877-837-0077

1010 Cameron Street
Alexandria, VA 22310
transcript@casamo.com

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1 P R O C E E D I N G S

2 Whereupon,

3 DELTON GOODRUM

4 was called as a witness and, having first been duly
5 sworn by the notary public, testified as follows:

6 DIRECT EXAMINATION

7 BY MR. CALES:

8 Q Yes, sir. Lieutenant Goodrum, my name is
9 Jim Cales. We introduced ourselves off the record
10 before we began. But may I ask you to introduce
11 yourself on the record, please?

12 A Yes, sir. Excuse me. My name is Delton
13 Goodrum.

14 Q Okay. And Lieutenant Goodrum, how are you
15 currently employed?

16 A I am currently employed at the city of
17 Alexandria as a police lieutenant.

18 Q And how long have you held the position of
19 police lieutenant?

20 A I've -- I've held the position now for
21 10 years.

22 Q And have you always been with the

1 Alexandria Police Department in your law enforcement
2 career?

3 A I have.

4 Q When did you -- what is your date of hire?

5 A April 29th, 1996.

6 Q And prior to your date of hire, what was
7 your employment?

8 A United States Marine Corps.

9 Q Very good. Thank you for your service,
10 sir. How long were you in the Marine Corps?

11 A Four years.

12 Q Okay. I was -- I almost said, how long
13 were you a Marine, but you can't say that because
14 you're still a Marine, right?

15 A Absolutely. Absolutely.

16 Q Very good. Where were your duty stations
17 in the Marine Corps?

18 A Cherry Point, my primary duty station.
19 And I was deployed to Guantanamo Bay, Cuba.

20 Q And what was your role in the Marine
21 Corps?

22 A My role in the Marine Corps -- well, I

1 always had dual MOS's. I was a Stinger missile
2 gunner and also a administrative support. I worked
3 in the S1, which was at HR Office, if you will.

4 Q And how long were you in the HR office?

5 A Probably two years.

6 Q And can you step me through, obviously
7 without giving any information you should not give
8 you. Would you step me through what your duties
9 were there as -- in the S1 office?

10 A I was the NCOIC of discharges. So when
11 Marines exited the Marine Corps, I oversaw -- if I
12 remember correctly -- about two to three Marines who
13 processed the discharges as Marines exited the
14 Marine Corps.

15 Q Was that solely what you did in that
16 capacity?

17 A I'm sure some bleed over, as far as if one
18 Marine wasn't there, I would cover for another
19 Marine. But -- so that office was made -- the
20 primary function of that office, we -- when Marines
21 came to our battalion, we would check them in. We
22 were responsible for the mail. We were responsible

1 Q Fair enough. Fair enough. So when I am
2 asking about Chief Hayes and your perception of why
3 his -- your perception that his decision was based
4 upon your race.

5 A Yes.

6 Q What specifically about Chief Hayes's
7 conduct, other than the fact that you are black and
8 the people who were promoted were white, what other
9 facts are you aware of that -- support your
10 contention that you were not promoted based upon
11 your race?

12 A Because when chief Hayes received pushback
13 from my peers, when he stated that he would -- he
14 would -- he was planning on promoting me because of
15 my performance on the captain's process and also the
16 need for diversity within the captain's rank, he
17 received pushback from my peers because they
18 interpreted that as him wanting to promote me solely
19 because I am black.

20 Q Did you perceive -- I'm sorry, I didn't
21 mean to cut you off. Go ahead.

22 A And because of that pushback, he was a

1 coward to not stand by his decision, and he allowed
2 them to influence him to not promote me, because he
3 was afraid of promoting me because of the color of
4 my skin. He was afraid because -- I am assuming,
5 speculating that he thought or they may have
6 threatened him, I wasn't privy to that, they were
7 going to follow the EEOC. They were going to file a
8 grievance. They were going to file some sort of
9 complaint.

10 Q In terms of direct evidence of your
11 firsthand knowledge of Chief Hayes basing his
12 promotion to anyone to the rank of captain during
13 his tenure as chief of police, either interim or
14 permanent, as you sit here today, am I correct in
15 understanding that you cannot tell me you have
16 direct evidence that he based his decision not to
17 promote you based upon your race; is that fair?

18 A One more time.

19 Q Okay. As you sit here today, am I correct
20 in understanding that you cannot provide me
21 firsthand evidence, that is knowledge that you
22 personally have, that Chief Hayes did not promote

1 A Uh-huh.

2 Q Is that a yes?

3 A I'm sorry. Yes.

4 Q First time. I mean, we're past noon and
5 you're -- you're doing great. So in that process,
6 the Chief Hyaes --

7 Well, you never discussed with Chief Hayes
8 what he specifically was doing with respect to
9 consideration of the captain vacancies he had to
10 fill as chief?

11 A Correct.

12 Q Did you speak with anyone who spoke with
13 Chief Hayes about his process? In other words, do
14 you have any hearsay knowledge?

15 A No, sir.

16 Q Okay. Have you read any documents from
17 Chief Hayes that related to his process and
18 determining who he wanted to select as a captain?

19 A No, sir.

20 Q Am I correct that your assertion that his
21 decision was based upon race is in part, based upon
22 your speculation, that he received pressure from

1 lieutenants after the June '21 lieutenants meeting?
2 June 2021 Lieutenants meeting.

3 MS. HERRMANN: Objection.
4 Mischaracterizes testimony.

5 BY MR. CALES:

6 Q Go ahead and answer.

7 A Okay. I'm sorry. Can you ask me again?
8 I'm -- It got a little -- it got a little fuzzy for
9 me. Say it again.

10 Q I'm like that. I get that. I do not
11 accept that as a -- as a criticism, but as an
12 observation of facts, so you're good. The
13 lieutenants meeting in June 2021.

14 A Correct.

15 Q The effect of whatever communications the
16 chief may or may not have received on the promotions
17 process, you're speculating about what they are,
18 aren't you?

19 A No.

20 Q Okay. Who did you talk to? And how do
21 you have knowledge as to any pressure that was put
22 on the chief?

1 A One of my witnesses, Lieutenant Scott
2 Patterson and I believe Lieutenant Ed Milner.

3 Q Okay. And you talked to them?

4 A Yes.

5 Q What did you talk about with Lieutenant
6 Patterson?

7 A We were discussing the apology tour that
8 Chief Hayes did after the meeting to all the white
9 lieutenants. And Lieutenant Milner and Lieutenant
10 Patterson are white males, and Hayes was going
11 around apologizing to them for what he said in the
12 meeting because he -- he thought he needed to
13 apologize because people were upset.

14 Q Is that a bad thing?

15 A Yes.

16 Q Why -- why is an apology from chief Hayes
17 under those circumstances a bad thing?

18 A Well, if you're going to apologize, you
19 should apologize to everyone that was present to the
20 meeting.

21 Q And you didn't receive an apology from
22 Chief Hayes?

1 A Correct.

2 Q Okay. Do you know whether you were the
3 only one who didn't receive an apology, or are
4 you -- do you have any knowledge of that?

5 A Do I know if I'm the only one?

6 Q Correct.

7 A I don't have knowledge if I'm the only
8 one, but I would assume I was since I was the only
9 black person in the meeting.

10 Q But again, when you're assuming you're
11 speculating, aren't you?

12 A Yes.

13 Q Okay. So with respect to the promotion
14 discussed in the lieutenants meeting, do you agree
15 with me that race should not factor in a promotion?

16 A Race should not be the sole factor in a
17 promotion.

18 Q Okay.

19 A But as the city states -- the City
20 Charter, if you will, that they are big or they are
21 a city that believes in DEI, I know that's a bad
22 term these days, but they do.

1 Q And DEI being as you understand it?

2 A Diverse -- diversity, equity and
3 inclusion. Chief Hayes started his meeting off with
4 that reference and that's how -- that's how my name
5 was brought up.

6 Q During Chief Hayes's tenure, how many
7 assistant chiefs or deputy chiefs did he have?

8 A Did -- did the Chief Hayes have?

9 Q Yeah.

10 A How many -- assistant that Chief Hayes has
11 at the time?

12 Q During his tenure, how many deputy chiefs
13 did Chief Hayes have?

14 A Oh, I'm sorry. When he was interim, there
15 was no -- we had two. I'm sorry. When he was
16 interim, we had two acting assistant chiefs/deputy
17 chiefs, which was Captain Dennis Andres, white male,
18 and Captain Shannon Soriano, white female.

19 Process, I believe the first assistant
20 chief that was hired was Easton McDonald.

21 Q What race?

22 A He's a black male.

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1 A Were you first asking --

2 Q I'm asking anywhere.

3 A Oh, okay. Okay. No. No volunteer work.

4 Q Okay. What about community involvement in
5 Alexandria? Do you have any community involvement,
6 part of any organizations, that kind of thing?

7 A No organizations, but like I say, born and
8 raised here. I'm familiar with the community.
9 Everywhere I go, I run into someone. You're saying
10 anything but are we talking -- right now, we're just
11 saying if anything?

12 Q Anything.

13 A Okay. No organization, but very familiar
14 with the community. I'm involved more so with work,
15 things of that nature.

16 Q What about -- in your role as a police
17 lieutenant, have you been called upon to visit, you
18 know, homeowners meetings, homeowner's association
19 meetings, that kind of thing?

20 A I have.

21 Q How many of those have you visited in the
22 last five years?

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1 A The -- the one community I'm responsible
2 for, they meet annually. So I've gone -- you said
3 past five years?

4 Q Past five years.

5 A Oh, wow. So where we at? 2020.

6 Q 2019 --

7 A From 2019 to here? Wow.

8 Q I know, right? The older we get, the days
9 get longer and years get shorter.

10 A Probably, say at least seven times.

11 Q Okay. Is it the same community?

12 A Same community but we kind of took a dip
13 when COVID hit, obviously. Since 2020, yes. So
14 same community since 2020. I had different
15 communities prior to 2019, so yes.

16 Q Was Chief Hayes concerned about community
17 involvement for police?

18 A Chief Hayes was very surface level big --
19 doesn't make sense. He was very big on community
20 engagement, yes.

21 Q Okay. You started to say surface level is
22 almost kind -- I was starting to perceive it as a

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1 dig, but am I correct that you pulled that back?

2 A I pulled it back, right. That's not
3 necessary.

4 Q He was concerned about community
5 involvement?

6 A Correct.

7 Q And was that one of the things that he
8 maybe suggested that as a police lieutenant that
9 would -- when you were talking to him as -- as he
10 was a deputy chief and talking about becoming a more
11 attractive captain candidate, was that something he
12 had mentioned to you?

13 A Community engagement as a lieutenant?

14 Q Community engagement and community
15 involvement. Was that something he suggested to
16 you?

17 A No.

18 Q Was Chief Hayes in any way unclear about
19 his active participation in community involvement
20 with the police department?

21 A He was very clear, yes.

22 Q Okay. And there was no ambiguity about

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1 that, was it?

2 A No, sir.

3 Q And with respect to Chief Hayes's concerns
4 for community involvement, he was looking for police
5 officers who are locked into the community and
6 engaged in the community, was he not?

7 A He was.

8 Q Do you believe you fit that description?

9 A Absolutely.

10 Q Why?

11 A Well, first of all, to be a successful
12 police officer, community engagement is the
13 foundation of law enforcement work. It's not rank
14 specific. My entire career, I've been involved with
15 the community rather directly or indirectly.

16 If you want to ask for a specific unit, I
17 started with patrol, patrol Sergeant. I was out
18 there with my team always engaging with the
19 community, community walks, coffee with the cops,
20 career day. I sponsored the career day at
21 headquarters where kids came and we took them on a
22 tour. I was a motorcycle officer and we were

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1 considered the ambassadors of the police department.
2 We did funeral escorts, high level funeral escorts
3 to Andrews -- I'm -- not Andrews. Yes. Not
4 Andrews, I'm sorry. Arlington.

5 The family -- the families were really
6 appreciative of that. So in that I was a member of
7 honor guard parades, talking to the kids. I mean --
8 so if -- in my opinion, an officer shouldn't just
9 say or think or have that idea that community
10 engagement ends and stops. I think it ends -- one
11 time it should end is when you're in a covert
12 position, which I was, when I was over our vice
13 narcotics section.

14 But throughout your entire career, from
15 officer to chief, you should be heavily involved in
16 the community.

17 Q When was the last time you did something
18 like breakfast or coffee --

19 A Coffee with cops?

20 Q -- coffee with the cops?

21 A Where are we at?

22 Q 2024?

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1 Q How often do you do that?

2 A We run the Citizen Academy, I believe

3 twice a year, if I'm not mistaken.

4 I'm looking at her.

5 Q She can't answer.

6 A I know. I'm sorry. I'm sorry. And
7 during the Citizen's Academy, depending on what my
8 role is, but I present it to the citizens and
9 community as the vice narcotics lieutenant, as the
10 Swat team commander, as the motorcycle sergeant as
11 the crash team commander. So I think the
12 community -- I see what you're going with the
13 community so, I mean, I'm heavily -- I like to think
14 I'm heavily involved in the community engagement
15 part.

16 Q When you were in the administrative role
17 with training, okay? The one that Chief Hayes --

18 A Yes. Yes. I'm sorry.

19 Q When you were a lieutenant in the training
20 coalition -- you okay?

21 A I'm sorry.

22 Q And if you need a water or something we'll

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1 take a break.

2 A I got some. No, no. I'm good for right
3 now. Let's push through.

4 Q Yeah. I hear you on that. When you were
5 in the administrative role, how did your paperwork
6 go?

7 A Again, broad.

8 Q That's very broad. It's almost an unfair
9 question, so I'll -- I'll retread it.

10 A Okay.

11 Q Were there any problems with the paperwork
12 that you'd had to submit?

13 A Absolutely not.

14 Q Okay. Did you ever submit things to Chief
15 Hays and he had to return them to you for reworking?

16 A No.

17 Q Okay. Did you submit reports to Chief
18 Hayes?

19 A I reviewed reports that were submitted
20 through my recruiter.

21 Q Okay did you ever prepare any reports for
22 Chief Hayes as a lieutenant?

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1 A No. I'm never -- that's odd and that's
2 funny. No. I've never prepared a report on
3 training and recruitment and submitted it.

4 Q Okay. While a police lieutenant, did you
5 ever prepare a report for Chief Hayes in any
6 capacity?

7 A Can we clarify reports? Are you saying --
8 so when you say report, I'm thinking like legit
9 report with stats and statistics, or are you asking,
10 have I prepared any type of memorandum to him?

11 Q Let's -- let's use a broader definition.
12 Okay? Have you prepared any document --

13 A Yes.

14 Q -- that you have submitted to Chief Hayes
15 for a review and in your capacity as a police
16 lieutenant?

17 A Yes.

18 Q Okay. How often had you done that?
19 Weekly, monthly, daily?

20 A Weekly. Daily. Yes.

21 Q Daily?

22 A Yes. Let's go weekly.

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1 Q Okay. Fair enough. Did you ever have any
2 of those sent back to you by Chief Hayes for a more
3 thorough explanation or correction or revisions?

4 A It's not -- I'm going to say yes because
5 it's not uncommon that there may be a question.
6 Right? "So can you explain this or something?" So,
7 yes. Reports or requests are often returned back
8 either with an approval, or received, or
9 clarification.

10 Q Okay. I understand what you're telling
11 me. Did you ever have a revision or clarification
12 sent back more than once by the chief?

13 A No.

14 Q Okay. You agree with me that if Chief
15 Hayes promoted you solely because you were black,
16 that would be unlawful?

17 A Yes.

18 Q Tell me the names of the four lieutenants
19 who were promoted to captain during your involvement
20 in the promotional process under Chief Hayes's
21 tenure.

22 A Courtney -- excuse me. Courtney

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1 Valentine.

2 Q Okay.

3 A Marcus Downey. Jerry Newcomb.

4 Marcus was the assist -- I'm sorry, was
5 the acting captain. Mike May and Jason North.

6 Q Do you believe Captain Valentine was
7 unqualified to be a captain?

8 A No.

9 Q Do you believe Downey was unqualified to
10 be a captain?

11 A Yes.

12 Q Why?

13 A He was a junior lieutenant. He wasn't
14 eligible in time and grade. He was a new lieutenant
15 and he never competed for the captain process.

16 Q Do you believe Captain Newcomb is not
17 qualified to be a captain?

18 A Yes.

19 Q Why?

20 A I feel my -- my resume is far more
21 superior than Jerry's. I outperformed Jerry in the
22 captain's process. And Jerry, not only did I

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1 outperform him, if I'm not mistaken, Jerry was last
2 in the -- in the promotional process.

3 MS. ROBERTS: Sorry. It's my --

4 MR. CALES: Can you take a minute?

5 MS. ROBERTS: Okay.

6 MR. CALES: Okay.

7 THE WITNESS: And he was getting ready to
8 retire.

9 BY MR. CALES:

10 Q Okay. But let me ask you this, because
11 the question you answered wasn't precisely the
12 question I asked. Was Captain Newcomb unqualified
13 to be a captain?

14 A That's my opinion, correct?

15 Q No. What I'm -- I'm not asking whether
16 you would have been a better captain.

17 A Okay.

18 Q I'm asking whether he was unqualified to
19 be a captain?

20 A Based off a policy or my opinion?

21 Q Based upon anything, and then identify
22 what it is you're talking about.

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1 A I stand by what I just said. I thought he
2 was unqualified to be promoted to captain based off
3 his performance in the process -- in the process
4 coming in last, and -- and him already thinking
5 about retirement. Talking about retirement.

6 Q Did he -- when did he retire?

7 A He didn't now.

8 Q Okay.

9 A I'm sorry.

10 Q Well, I -- okay. Okay.

11 A I'm sorry.

12 Q When you say -- why is -- that funny? I'm
13 missing the joke.

14 A I got a little -- I just got a little
15 excited. I was laughing at my own self because I
16 exclaimed, he didn't now, so --

17 Q Fair enough.

18 A I apologize.

19 Q Fair enough. Was he thinking about
20 retiring if he didn't get promoted to captain? Is
21 that what you're selling?

22 A Yes. He was --

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1 why he didn't promote me.

2 Q What did he say to you about why he
3 couldn't promote you?

4 A He didn't say anything to me. But through
5 all of this, I don't want to say back and forth, but
6 all of this -- since this lawsuit, EEOC thing, EEOC
7 complaint has come to light, the response from the
8 city via Don Hayes that it was a performance issue.

9 Q Well, the response was -- okay. Okay.
10 Okay. Anything else?

11 A And I told -- regarding?

12 Q About untruthfulness, about you from Chief
13 Hayes?

14 A Okay. That's it for now.

15 Q Okay.

16 A If I think of something else, I'll -- I'll
17 let you know.

18 Q I'm sure you will and I appreciate your
19 effort to do that. Let me ask this question.

20 A Okay.

21 Q Is there anything that Chief Hayes has
22 been untruthful to you about or regarding you that